

## PART 226—DESIGNATED CRITICAL HABITAT

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AUTHORITY: 16 U.S.C. 1533.

SOURCE: 44 FR 17711, Mar. 23, 1979, unless otherwise noted.

### Subpart A—Introduction

#### §226.1 Purpose of regulations.

The regulations contained in this part identify those habitats designated

as critical under section 7 of the Endangered Species Act, as amended, by the Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, for those endangered and threatened species under the jurisdiction of the Secretary of Commerce. The list of these species is found in 50 CFR 222.23(a) for endangered species and 50 CFR 227.4 for threatened species.

#### §226.2 Scope of regulations.

(a) The critical habitat designations contained in this part apply only to the endangered and threatened species listed in this part.

(b) Regulations implementing section 7 of the Endangered Species Act, as amended, are found in 50 CFR part 402.

(c) The provisions in this part are in addition to, and not in lieu of other regulations of parts 217 through 227 and 402 of this chapter.

### Subpart B—Critical Habitat for Marine Mammals

#### §226.11 Northwestern Hawaiian Islands.

##### HAWAIIAN MONK SEAL

##### (*Monachus schauinslandi*)

All beach areas, sand spits and islets, including all beach crest vegetation to its deepest extent inland, lagoon waters, inner reef waters, and ocean waters out to a depth of 20 fathoms around the following:

Kure Atoll (28°24' N, 178°20' W)

Midway Islands, except Sand Island and its harbor (28°14' N, 177°22' W)

Pearl and Hermes Reef (27°55' N, 175° W)

Lisianski Island (26°46' N, 173°58' W)

Laysan Island (25°46' N, 171°44' W)

Maro Reef (25°25' N, 170°35' W)

Gardner Pinnacles (25°00' N, 168°00' W)

French Frigate Shoals (23°45' N, 166°00' W)

Necker Island (23°34' N, 164°42' W)

Nihoa Island (23°03.5' N, 161°55.5' W).